LOUIS MARSHALL OPENS FRANK CASE ARGUMENT

United States Supreme Court Starts Hearing at 3 o’Clock

(By Associated Press.)

WASHINGTON, Feb. 25—The fate of Leo M. Frank depends upon the outcome of Oral Arguments of his Habeas Corpus Case, which began at 3 O’Clock this afternoon before the Supreme Court.

Louis Marshall, of New York, Counsel for Frank, opened for the Appellant. The court will adjourn at 4:30 o’clock, so Mr. Marshall will have to resume his speech tomorrow at noon.

Three hours have been allotted by the Court for the Arguments of the Case, to be divided equally. Under the rules of the Court, the Appellant, Frank, will have the opening and concluding Arguments. It is understood that Mr. Marshall will use all of the Defense’s time.

Attorneys in Frank’s behalf were ready to argue to the Court that he should be released on a Habeas Corpus Writ on the ground that the trial Court, when the Jury’s verdict of guilty was returned, deprived the Court of Jurisdiction over him.

Representatives of the State of Georgia were to argue that he had ample opportunity to raise the point of alleged mob violence and that he had not done so in due time. They also had prepared to argue that waiver by Frank’s former Attorney of his right to be present when the Jury returned its verdict was binding on him.